

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

In re: BAIR HUGGER FORCED AIR
WARMING DEVICES PRODUCTS
LIABILITY LITIGATION

MDL No. 15-2666 (JNE/DTS)

This Document Relates to:

Case Nos.:

17-cv-01701 (*Wright v. 3M Company*)
17-cv-02426 (*Johnson v. 3M Company*)
17-cv-02901 (*Moore v. 3M Co., et al.*)
17-cv-04754 (*Weaver v. 3M Co., et al.*)
17-cv-04967 (*Ewing v. 3M Company*)
17-cv-04881 (*Potter v. 3M Co., et al.*)
17-cv-04891 (*Edwards v. 3M Co., et al.*)
17-cv-05052 (*Hanks v. 3M Co., et al.*)
17-cv-05270 (*Johnston v. 3M Co., et al.*)
17-cv-05277 (*Billings v. 3M Co., et al.*)
17-cv-05327 (*Lykes-Traver v. 3M Company*)
17-cv-05371 (*Bresnock v. 3M Co., et al.*)
17-cv-05426 (*Meyers v. 3M Company*)
18-cv-00045 (*Swales v. 3M Co., et al.*)
18-cv-00146 (*Goodrum v. 3M Co., et al.*)
18-cv-00167 (*Shoaf v. 3M Co., et al.*)
18-cv-00262 (*Brabham v. 3M Co., et al.*)
18-cv-00575 (*Ballasso v. 3M Co., et al.*)
18-cv-00628 (*Boyle v. 3M Co., et al.*)
18-cv-00660 (*Doyle v. 3M Co., et al.*)
18-cv-00665 (*Hughes v. 3M Co., et al.*)
18-cv-00676 (*Bunk v. 3M Company*)
18-cv-00690 (*Dupont v. 3M Company*)
18-cv-00758 (*Butler v. 3M Co., et al.*)
18-cv-00802 (*Brown v. 3M Co., et al.*)
18-cv-00839 (*Pavia v. 3M Co., et al.*)
18-cv-00840 (*Stidham v. 3M Co., et al.*)
18-cv-00842 (*Wiggins v. 3M Co., et al.*)
18-cv-00856 (*Negron v. 3M Co., et al.*)
18-cv-00881 (*Willimon v. 3M Co., et al.*)
18-cv-01009 (*Woelfel v. 3M Co., et al.*)
18-cv-01137 (*Chapman v. 3M Company*)
18-cv-01154 (*Lombardo v. 3M Company*)

18-cv-01175 (*Collins v. 3M Co., et al.*)
 18-cv-01283 (*Winegar v. 3M Co., et al.*)
 18-cv-01345 (*Lane v. 3M Co., et al.*)

**DEFENDANTS' FIFTEENTH MOTION TO DISMISS FOR FAILURE TO
COMPLY WITH PRETRIAL ORDER NO. 14**

Pursuant to the Court's Pretrial Order No. 14 ("PTO 14"), entered September 27, 2016, Defendants 3M Company and Arizant Healthcare Inc. (collectively, "Defendants") respectfully move the Court to dismiss the following plaintiffs' cases for failure to comply with PTO 14:

Case Number	Plaintiff	Firm Name
0:17-cv-01701-JNE-DTS	Wright	Levin, Papantonio, Thomas, Mitchell, Rafferty, & Proctor, P.A.
0:17-cv-02426-JNE-DTS	Johnson	Levin, Papantonio, Thomas, Mitchell, Rafferty, & Proctor, P.A.
0:17-cv-02901-JNE-DTS	Moore	Kennedy Hodges, L.L.P.
0:17-cv-04754-JNE-DTS	Weaver	Kennedy Hodges, L.L.P.
0:17-cv-04881-JNE-DTS	Potter	Bernstein Liebhard LLP
0:17-cv-04891-JNE-DTS	Edwards	Bernstein Liebhard LLP
0:17-cv-04967-JNE-DTS	Ewing	Levin, Papantonio, Thomas, Mitchell, Rafferty, & Proctor, P.A.
0:17-cv-05052-JNE-DTS	Hanks	Brown & Crouppen, P.C.
0:17-cv-05270-JNE-DTS	Johnston	Bernstein Liebhard LLP
0:17-cv-05277-JNE-DTS	Billings	Bernstein Liebhard LLP
0:17-cv-05327-JNE-DTS	Lykes-Traver	Levin, Papantonio, Thomas, Mitchell, Rafferty, & Proctor, P.A.

0:17-cv-05371-JNE-DTS	Bresnock	Bernstein Liebhard LLP
0:17-cv-05426-JNE-DTS	Meyers	Levin, Papantonio, Thomas, Mitchell, Rafferty, & Proctor, P.A.
0:18-cv-00045-JNE-DTS	Swales	Bernstein Liebhard LLP
0:18-cv-00146-JNE-DTS	Goodrum	GoldenbergLaw, PLLC
0:18-cv-00167-JNE-DTS	Shoaf	The Miller Firm, LLC
0:18-cv-00262-JNE-DTS	Brabham	The Law Offices of Travis R. Walker, P.A.
0:18-cv-00575-JNE-DTS	Ballasso	Gustafson Gluek PLLC
0:18-cv-00628-JNE-DTS	Boyle	Langdon & Emison
0:18-cv-00660-JNE-DTS	Doyle	Kennedy Hodges, L.L.P.
0:18-cv-00665-JNE-DTS	Hughes	Bachus & Schanker LLC
0:18-cv-00676-JNE-DTS	Bunk	Levin, Papantonio, Thomas, Mitchell, Rafferty, & Proctor, P.A.
0:18-cv-00690-JNE-DTS	Dupont	Levin, Papantonio, Thomas, Mitchell, Rafferty, & Proctor, P.A.
0:18-cv-00758-JNE-DTS	Butler	Fears Nachawati, PLLC
0:18-cv-00802-JNE-DTS	Brown	The Olinde Firm, LLC
0:18-cv-00839-JNE-DTS	Pavia	Fears Nachawati, PLLC
0:18-cv-00840-JNE-DTS	Stidham	Fears Nachawati, PLLC
0:18-cv-00842-JNE-DTS	Wiggins	Fears Nachawati, PLLC
0:18-cv-00856-JNE-DTS	Negron	The Law Offices of Travis R. Walker, P.A.
0:18-cv-00881-JNE-DTS	Willimon	Pendley, Baudin & Coffin, LLP
0:18-cv-01009-JNE-DTS	Woelfel	Brown Chiari, LLP
0:18-cv-01137-JNE-DTS	Chapman	Levin, Papantonio, Thomas, Mitchell, Rafferty, & Proctor, P.A.

0:18-cv-01154-JNE-DTS	Lombardo	Levin, Papantonio, Thomas, Mitchell, Rafferty, & Proctor, P.A.
0:18-cv-01175-JNE-DTS	Collins	Bernstein Liebhard LLP
0:18-cv-01283-JNE-DTS	Winegar	Bernstein Liebhard LLP
0:18-cv-01345-JNE-DTS	Lane	Meshbeshner & Spence

As set forth in Defendants' Memorandum of Law in Support of their Fifteenth Motion to Dismiss for Failure to Comply with Pretrial Order No. 14, there are three (3) categories of cases where plaintiffs have failed to serve a Plaintiff Fact Sheet ("PFS") compliant with the requirements set forth by the Court in PTO 14: (a) cases where no PFS has been served by plaintiff; (b) cases where plaintiff served a PFS with core deficiencies, and failed to cure them or otherwise respond to Defendants' deficiency letter; and (c) cases where plaintiff served a PFS with core deficiencies, and failed to cure them after Defendants' final deficiency letter. Defendants placed the above cases on the agenda for two sequential Court status conferences. Dismissal of these cases with prejudice is therefore appropriate under PTO 14, ¶ 8, and Defendants respectfully request the Court grant their motion regarding same.

Dated: October 4, 2018

Respectfully submitted,

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